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Attorney for DONALD DANIELS

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Case No. CR 09-0862 MHP

Plaintiff,

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE SELFSURRENDER DATE FOR DONALD

DANIELS TO OCTOBER 26, 2011

DONALD DANIELS,

vs.

Defendant.

Defendant Donald Daniels, by and through his counsel, Mary McNamara, and the United States, by and through Assistant United States Attorney Christine Wong, hereby stipulate and agree as follows:

- 1. On June 15, 2011, the Court sentenced defendant Donald Daniels on counts one and seven of the superseding indictment herein to a term of twenty-four months (24) imprisonment concurrent, to be followed by three years of supervised release. The Court ordered that Mr. Daniels self-surrender to the facility to be designated by the Bureau of Prisons by September 14, 2011. The Court deferred judgment on the issue of restitution until sixty days after sentencing. Judgment in a Criminal Case, at 1, 2, 3 &5 (Dkt. # 268, entered June 17, 2011).
- 2. On July 25, 2011, the Court held a restitution hearing and, after consideration of papers submitted by the government and Daniels, ordered apportionment of restitution, with Mr. Daniels ordered to pay \$750,000 or his interest in three properties identified in his plea agreement. Amended Judgment and Order re Restitution (Dkt. # 291, entered August 9, 2011).

- 3. The parties agree to a continuance of Mr. Daniels' self-surrender date from September 14, 2011 to October 26, 2011 for the purpose of permitting him to receive testing at the Mayo Clinic in Arizona, where he has been regularly treated in the past, including during the course of the above-referenced case. The parties also agree that Mr. Daniels's travel restriction should be temporarily modified to permit travel to Arizona in order to facilitate this trip, as monitored by the Pretrial Services Agency. As set forth in the PSR at ¶ 63, Mr. Daniels suffers from significant illnesses for which he has received treatment at Mayo. Mayo doctors requested that he follow up particularly with respect to his having experienced blood in his urine (hematuria), in addition to deficient copper levels (which represent one of two biological markers for multiple myeloma, a disease affecting his sister) and his sporadic neurological spells (affecting vision and cognition). Mr. Daniels timely endeavored to make appointments with the various specialists who have treated him at the Mayo Clinic, but the urologist, Dr. Bernard Salevitz (who monitors hematuria), is unavailable until October 19, 2011.
 - 4. The United States agrees to this requested continuance on the condition that it will

not agree to any further continuance of the self-surrender date after October 26, 2011.

IT IS SO STIPULATED.

Dated: August 22, 2011

MARY McNAMARA Attorney for DONALD DANIELS

Dated: August 22, 2011

CHRISTINE WONG Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: $\sqrt{3}$

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HON, MARILYN HALL PATEL

United States District Judge